

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

KENNETH D. BELL, in his capacity as court-appointed Receiver for Rex Venture Group, LLC d/b/a ZeekRewards.com,)
Plaintiff,)
vs.) No. 3:15-cv-137
USHBB, INC., JAMES A. MOORE,)
OSCAR H. BROWN, and ROBERT MECHAM,)
Defendants.)

ORDER

THIS MATTER comes before the Court on the Plaintiff's Motion for Default Judgment against Defendant USHBB, Inc. (Doc. No. 14), and the Plaintiff's Motion for Default Judgment against Defendant James A. Moore (Doc. No. 15). The Court previously granted the Receiver's Motion to Strike USHBB's purported Answer and granted default judgment against USHBB (Doc. No. 16), ordering a hearing regarding (1) the damages award and (2) the Receiver's Motion for Default Judgment against Mr. Moore.

The Clerk of Court served both USHBB and Mr. Moore with notice of the hearing. On December 2, 2015, the Court conducted the hearing, and both USHBB and Mr. Moore failed to appear. The Court took evidence from the Plaintiff regarding the damages issue and is satisfied that the Receiver's request for damages is a conservative estimate of the damages caused by these Defendants. The Court declines, however, to award punitive damages.

IT IS, THEREFORE, ORDERED that the Receiver's Motion for Default Judgment against Defendant James A. Moore is GRANTED.

It is further **ORDERED** that the Receiver shall have and recover of Defendant USHBB \$676,848.00 in Receivership Assets on the Receiver's First Claim for Relief for fraudulent transfer.

It is further **ORDERED** that Defendants USHBB and Moore are jointly and severally liable to the Receiver for \$13,222,800.93 in damages on the Receiver's Fourth Claim for Relief for unfair and deceptive trade practices, which consists of \$4,406,600.31 in damages trebled pursuant to N.C. Gen. Stat. §§ 75-1.1 and 75-16.

It is further **ORDERED** that post-judgment interest shall accrue on the entire Judgment at the rate specified under 28 U.S.C. § 1961 from the date of entry of this Judgment until paid in full.

Signed: December 2, 2015



Graham C. Mullen
United States District Judge

